

**Exemption No. 7107**

**UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION  
RENTON, WASHINGTON 98055-4056**

In the matter of the petition of

**Associated Air Center**

for exemption from § 25.813(e) of Title 14,  
Code of Federal Regulations

**Regulatory Docket No. 29800**

**PARTIAL GRANT OF EXEMPTION**

By letters dated September 27, 1999, November 4, 1999, and January 3, 2000, Mr. Richard McFadden, Certification Manager, Associated Air Center, P.O. Box 540728, Dallas, TX 75234, petitioned for an exemption from the requirements of § 25.813(e) of Title 14, Code of Federal Regulations (14 CFR). This exemption, if granted, would permit the installation of interior doors between passenger compartments on two private-use Boeing Model 757 airplanes.

**The petitioner requests relief from the following regulation:**

Section 25.813(e), which prohibits doors from being installed in any partition between passenger compartments.

**The petitioner's supportive information is as follows:**

"Background

“Associated Air Center (AAC) requests that the relief provided for Boeing Model 737-700 IGW airplanes relative to interior doors between passenger compartments, as described in Exemption No. 6820A, be expanded to include Boeing Models 757-23A s/n 24923, and 757-2J4, s/n 25155 airplanes.

## "Discussion

"Part 25 requirements of the Federal Aviation Regulations (FARs) do not consider the situation of private-use transport category airplanes. Those requirements are predicted on airline common carrier, commercial passenger operations carrying fare-paying passengers from the general public. Associated Air Center believes that the design of an airplane for private use, and the associated operation of the airplane in private use, should justify an exemption, based on the fact the FARs do not currently cover or consider such a design and operation and a new view of such designs and operations is needed by the FAA. In addition, Associated Air Center has proposed alternative requirements, which provide an appropriate level of safety for the intended use of the airplanes and for the airplane's occupants.

"The FAA position of a Partial Grant of Exemption for the 737-700 IGW with interior doors permitted with provisions be granted to the 757-200. Both airplanes have approximately the same cross section (narrow body). These type airplanes can be considered one of the larger private-use planes, its cabin width available for interior rooms is still only about 12 feet. Private areas or conference rooms will often need to span the whole cabin in order to be practical. For such arrangements, privacy can only be provided by means of doors, and therefore, an exemption is needed to allow full use of airplane capabilities without compromising safety for those onboard. All passengers are equally important, wherever they are located."

## "Public Interest"

Granting this petition for certain exemptions for the Boeing model 757-200 when configured for business jet applications, and operated under FAR parts 91 or 125, is in the public interest.

Given the proliferation of transport category airplanes configured for executive use that is currently taking place, and anticipated in the near future, granting of these exemptions will enable U.S. manufacturers of transport category airplanes to effectively compete in this expanding market.

"Additional sales of U.S. manufactured airplanes outside of the traditional airline market, and completion of many of them at U.S. owned and operated aircraft completion facilities, will serve to increase the profitability of these manufacturers and their supplying/supporting companies.

"Stability and improved financial performance of these U.S. companies gives greater job stability to the workers employed by the companies, causing a stabilizing influence to the greater U.S. economy, due to the consumer pending activities associated with stable workers.

"Improved financial performance of U.S.- owned and operated corporations and increased work force stability translates to continued and improved local, state, and federal tax revenues which in turn adds to the stability of the total U.S. economy.

"Improved financial performance allows U.S. corporations to continue to invest in research and development, allowing the U.S. to maintain or improve its competitive position in the world economy.

"A large number of these types of airplanes will probably be sold to offshore clients, improving the U.S. balance of trade.

"Since the passengers aboard these airplanes will not be revenue paying customers of the airlines, there can be no degradation to airline passenger safety, and therefore no detrimental impact on the public at large."

A summary of the petition for exemption was published in the Federal Register on December 6, 1999 (64 FR 68194). No comments were received.

**The FAA's analysis/summary is as follows:**

As noted by the petitioner, the regulations regarding interior doors did not necessarily consider "rooms" when they were adopted. Nevertheless, the concerns with doors addressed by the regulation (namely, the potential for obstructing access to emergency exits as well as creating a potential for being unable to recognize exits beyond the door) apply to other types of doors as well. In fact, the current regulations do allow the installation of interior doors, provided passengers are not seated on both sides of the door for taxi, takeoff, and landing. The FAA has previously expressed the concern that doors not be located between passengers and exits, and has proposed in Notice of Proposed Rulemaking 96-9 to prohibit such installations in the future. However, this issue is clearly quite significant to the segment of the public that will operate these airplanes. The flexibility to partition the airplane, essentially arbitrarily, is regarded as paramount to an acceptable interior. The FAA acknowledges the desirability of this feature from the operators' point of view.

With regard to the concern that a door may inadvertently remain closed during taxi, takeoff, or landing, the FAA believes that some type of remote indication in the cockpit is necessary. This indication will give the flightcrew the opportunity to address the situation prior to taxi, takeoff, or landing. Accordingly, this is a condition of the exemption.

With regard to the integrity of the means used to latch doors open for taxi, takeoff, and landing, the FAA considers that redundant means are necessary. Each latching means should have the capability of retaining the door in the taxi, takeoff, and landing position under the inertia forces of § 25.561. In addition, the FAA believes that the door must be frangible, in the event that it is closed or closes, during an emergency landing. These are conditions of the exemption. Frangibility may be demonstrated in accordance with the

criteria set forth in paragraph 43.b(2) of Advisory Circular (AC) 25-17, Transport Airplane Cabin Interiors Crashworthiness Handbook.

In order to maximize the level of safety when interior doors are installed that span the main cabin aisle, the FAA will require as a condition of this exemption that these doors open and close in a transverse direction. That is, the direction of motion of the door must be at a right angle to the longitudinal axis of the airplane. A “pocket door” is one example of such a design.

With regard to the consideration of public use vs. private use operations, and passengers’ expectations, it is noted that although some persons may be frequent passengers on private-use airplanes, some of these passengers will be unfamiliar with their operation and with differences with commercial passenger operations. These persons will not ordinarily be aware of any grants of exemption issued by the FAA, and might assume that these private-use airplanes are effectively equivalent to airplanes used by a commercial operator. For this reason, the FAA considers that it is necessary for each passenger to be made aware that the particular airplane differs from the occupant safety standards mandated for the airplane type in general. The FAA will allow each operator to determine how best to accomplish this notification, but will require as a condition of this exemption that procedures be developed whereby each passenger is so informed, prior to flying on the airplane for the first time. The notification to any individual need only be accomplished once.

Although this grant of exemption clearly benefits the petitioner as a private entity, with the traveling public excluded from any apparent direct benefit, the FAA considers that the public at large does have a potential to benefit, by granting increased flexibility to the manufacture and modification of airplanes for private use. The FAA agrees that there is an economic benefit to US entities by virtue of this grant. This will, in turn, benefit the public at large for the reasons noted by the petitioner. Since the grant of exemption will have not detrimental safety implications on the public at large, the FAA finds that the economic benefits constitute sufficient public interest.

This grant of exemption cannot be said to provide the same level of safety that would be afforded if there was strict compliance with the regulation from which exemption is sought; however, the resultant level of safety is consistent with many other private-use airplanes. If the compartments separated by doors are considered individually, the resultant interior arrangements are typically (although not exclusively) quite similar to small private-use airplanes that only require a single pair of exits.

In consideration of the foregoing, I find that a partial grant of exemption is in the public interest and should not have a significantly adverse effect on the level of safety provided by the regulations. Therefore, pursuant to the authority contained in 49 U.S.C. §§ 40113 and 44701, delegated to me by the Administrator (14 CFR § 11.53), the petition of Associated Air Center for an exemption from the requirements of § 25.813(e) to allow the installation of interior doors between passenger compartments on Boeing Model 757-23A airplane s/n 24923 and Boeing Model 757-2J4 airplane s/n 25155 is hereby granted, with the following conditions:

1. The airplanes are not operated for hire, nor offered for common carriage. (This provision does not preclude the operator from receiving remuneration to the extent consistent with 14 CFR part 125 and 14 CFR part 91, subpart f, as applicable.)

2. Each door between passenger compartments must be frangible.

3. Each door between passenger compartments must have a means to signal to the flight crew when the door is closed. Appropriate procedures/limitations must be established to ensure that taxi, takeoff, and landing is prohibited when such compartments are occupied and the door is closed.

4. Each door between passenger compartments must have dual means to retain it in the open position, each of which is capable of reacting the inertia loads specified in 14 CFR 25.561.

5. Doors installed across a longitudinal aisle must translate laterally to open and close.

6. When doors are installed in designated egress paths, each passenger must be so informed. This notification is only required prior to the first time a person is a passenger on the airplanes.

Issued in Renton, Washington, on January 25, 2000.

/s/ Donald L. Riggin  
Donald L. Riggin  
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Transport Airplane Directorate  
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